

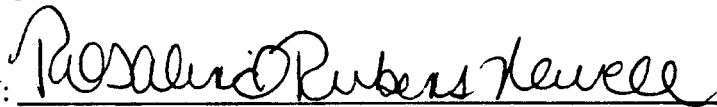
Entered - 08/11/00 - sb
CL00L0487 - DIANNE C. MITCHELL

00-*P*-1728

CLAIM OF: ALI SEIREG,
through his attorney,
Daniel MacDougald, III
152 Nassau Street
Atlanta, Georgia 30303

For damages alleged to have been sustained as a result of personal injuries
due to a fall on an escalator on March 13, 2000 at the Atlanta Airport.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0487

Date: October 10, 2000

Claimant /Victim ALI SEIREG
BY: (Atty.) Daniel MacDougald, III
Address: 152 Nassau Street, Atlanta, Georgia 30303
Subrogation: Claim for Property damage \$ Bodily Injury \$ 1,000,000.00
Date of Notice: 08/09/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/13/00 Place: Atlanta Airport
Department Aviation Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges he was injured when he fell on will riding on an escalator at the Atlanta Airport. This claim has been forwarded to the elevator company who is responsible for the maintenance of the escalators in the airport.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Daniel MacDougald, III Concur/date 10-10-00
Committee Action: Council Action

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DANIEL MACDOUGALD III

Attorney at Law
152 Nassau Street
Atlanta, GA 30303
Telephone: 404-688-6100
Fax: 404-688-0711
dmacd@mindspring.com

Mitchell
08/10/00

ENTERED - 8-11-00 - SB
00LO487 - DIANNE MITCHELL

August 7, 2000

The Honorable William C. Campbell
Mayor
City Of Atlanta
Suite 2400
68 Mitchell Street
Atlanta, GA 30335

The City Council of the City of Atlanta
c/o Rhonda Dauphin Johnson
Clerk of Council
City of Atlanta
68 Mitchell St.
Atlanta, GA 30335

RE: Ante-Litem Notice and Demand; Ali Seireg v. City of Atlanta

Dear Mayor Campbell and Members of Council:

I represent Ali Seireg. The purpose of this letter is to state a demand for settlement of his claim for personal injuries in compliance with the ante-litem notice statute O.C.G.A. § 36-33-5. The particulars of the demand are as follows:

On March 13, 2000, Mr. Seireg was riding a downward escalator into the transportation mall at Hartsfield International Airport, escalator E-1-C, in Concourse E. The escalator came to a sudden and unexpected halt, and Mr. Seireg was pitched over forward down the escalator steps, landing on his face. He suffered injuries to his face and head, and his right knee and shin as described on the AATC Operations Incident report No. 00313-3 prepared regarding this incident. Since the injury, he has exhibited symptoms of cognitive impairment and mild brain injury caused by this incident. Since the incident he has suffered, and continues to suffer headaches, dizziness, loss of balance and low energy levels. Mr. Seireg has had an MRI scan of his brain which revealed mild small vessel ischemic white matter changes, most likely the result of rotational shearing in the brain from the forces of the injury. Brain injury of this type is a well-documented consequence of head trauma.

Mr. Seireg's injuries were caused by the City's failure to give passengers on the escalator warning of sudden stops, failure to warn of the danger of sudden stops, and

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failure to properly maintain the escalator so as to prevent sudden stops such at the one that caused Mr. Seireg's injuries.

Mr. Seireg is a university professor of biomechanics, holding full professorships at the University of Wisconsin and the University of Florida. He is one of the world's leading experts in the area of biomechanics. Any cognitive impairment is therefore a matter of utmost gravity.

I am authorized to tender an offer to settle, compromise and release this case in exchange for a payment of \$1,000,000 within 30 days of your receipt of this letter.

Should you or your designees have questions, or require any further information, please do not hesitate to call on me.

Yours truly,



Dan MacDougald III

cc Ali Seireg
 Vincent Maeder

00-R -1728